Appl. No. 09/407,666
Amdt. dated July 22, 2004
AMENDMENT/RCE SUBMISSION UNDER 37 CFR 1.114

PATENT

REMARKS/ARGUMENTS

Claims 1-23 were pending. Claims 1, 14, 18 and 23 have been amended and new claims 24-26 have been added. Therefore, upon entry of this amendment, which is respectfully requested, claims 1-26 will be pending.

This amendment is submitted as an RCE Submission under 37 CFR 1.114. A Notice of Appeal was filed on February 20, 2004 and received in the Patent Office on February 23, 2004. The Office date of receipt of the Notice of Appeal is the date from which the 2-month period for reply is measured (see, *e.g.*, MPEP §1206). Accordingly, a 3-month extension of time is submitted herewith to extend to time for reply from April 23, 2004 until July 23, 2004 to keep the application pending.

The Examiner previously objected to the Information Disclosure Statement (IDS) as filed on August 23, 2000. The IDS and references were re-submitted with the last response on September 30, 2002, however, in the Final Office Action there was no indication that the Examiner received and approved the IDS. Applicant respectfully requests that the Examiner review the references cited therein and acknowledge the same in the next Examiners response.

Amendments were made herein to the specification to correct for minor grammatical errors. No new matter has been added.

Claims 1, 4-11 and 18-21 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,064,979 to Perkowski.

Perkowski generally discloses a method and system for providing product related information in the form of URLs. Perkowski teaches a database for storing a URL in relation with a universal product number (UPN) or a manufacturer identification number (MIN). In operation a user provides a UPN, which is compared by the system with the stored MINs. If the product has been registered with the system and a URL has been linked to the UPN in the database, the system returns the linked URL(s). Otherwise the system returns the URL(s) linked with the MIN contained in the UPN, typically the URL for the home page of the manufacturer. The user can then visit the web pages identified by the provided URL(s) to obtain the desired information.

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Applicant respectfully asserts that Perkowski fails to teach or suggest the invention as recited in independent claims 1 and 18. For example, Perkowski fails to teach or suggest the limitation of transmitting a search query to the communication server as recited in claim 1, or of communicating product information and a search query to the communication server as recited in claim 18. Perkowski may teach transmitting product information to a communication server, but not also transmitting a search query. Rather the system disclosed in Perkowski automatically takes the received UPN, performs a lookup in the relational database and provides the linked URL(s), if any, to the user. The user must then accesses the site(s) linked by the returned URL(s) to search for desired information. The present invention on the other hand performs the search for the user and provides results responsive to the query.

Applicants respectfully assert that these claims are patentably distinct from Perkowski for at least the above reasons. Nonetheless, to expedite prosecution, claim 1 has been amended to recite "processing the search query to obtain the product related information from two or more of the multiple databases, wherein at least one of the databases is remote from the communication server", and claim 18 has been amended to recite that the remnote server searches "two or more of the multiple databases", which databases are accessible over the Internet. It is respectfully asserted that Perkowski also fails to teach or suggest these limitations. In particular, Perkowski fails to teach or suggest searching multiple databases or sites for product related information, wherein at least one of those databases is remote from a communication server that received the request. Perkowski, rather teaches that a "predesignated resource" is accessed to retrieve information for products that have been registered. That same predesignated resource, the "IPSD Server", may also store information for products that have not been registered. See, e.g., Perkowski, column 3, line 63 to column 4, line 22 and column 10, lines 34 to 46. Thus, Perkowski teaches retrieving information only from a single system wherein product information may be stored for registered and non-registered products, and does not teach searching other systems. The present invention, to the contrary, advantageously provides results to users, which results were obtained from searching multiple database systems.

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Accordingly, Applicant respectfully asserts that independent claims 1 and 18, and all claims depending therefrom based at least on their dependency, are novel and non-obvious in view of Perkowski for at least the reasons given above.

Claims 1, 4-11 and 18-21 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,869,819 to Knowles et al.

Knowles generally discloses a web-based package routing, tracking and delivering system and method using URL-encoded bar code symbols on packages.

As set forth in the prior response, Applicant respectfully asserts that Knowles fails to teach or suggest the invention as recited in independent claims 1 and 18. For example, Knowles fails to teach or suggest the limitation of transmitting a search query to the communication server as recited in claims 1 or of communicating product information and a search query to the communication server as recited in claim 18. In Knowles, URL-encoded bar symbols on products are read for the purpose of allowing the user to link to a specific site identified by the URL. The user must then performs a search in the linked site. The present invention on the other hand performs a search of multiple sites for the user and provides results responsive to the query.

Nonetheless, claims 1 and 18 have been amended as discussed above to expedite prosecution. It is asserted that Knowles fails to teach or suggest searching multiple databases or sites for product related information, wherein at least one of those databases is remote from a communication server that received the request.

Accordingly, Applicant respectfully asserts that independent claims 1 and 14, and all claims depending therefrom based at least on their dependency, are novel and non-obvious in view of Knowles for at least the reasons given above.

Claims 12-16 were rejected under 35 U.S.C. §103 as being unpatentable over Perkowski.

Applicant respectfully asserts that claims 12-13 are allowable over Perkowski based at least on their dependency from independent claim 1 and for at least the reasons discussed above with respect to independent claim 1.

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Regarding independent claim 14 and dependent claims 15-16, Applicant respectfully asserts that Perkowski fails to anticipate claim 14 for similar reasoning as above with respect to independent claim 1. In particular, Perkowski fails to teach or suggest the limitation of transmitting a search query to a communication server from the PCD as recited in claim 14. Additionally, Perkowski fails to teach or suggest the limitation of processing the search query to obtain the competetive pricing information from two or more of the multiple databases, wherein at least one of the databases is remote from the communication server as recited in claim 14.

Accordingly, Applicant respectfully asserts that independent claim 14 and all claims depending therefrom based at least on their dependency, are novel and non-obvious in view of Perkowski for at least the reasons given above.

Claims 2 and 22 were rejected under 35 U.S.C. §103 as being unpatentable over Knowles in view of U.S. Patent No. 6,282,433 to Holshouser.

Applicant respectfully asserts that claims 2 and 22 are allowable over Knowles in vies of Holshouser based at least on their dependency from independent claims 1 and 18, respectively, for at least the reasons discussed above with respect to independent claims 1 and 18.

Claim 3 was rejected under 35 U.S.C. §103 as being unpatentable over Perkowski in view of U.S. Patent No. 6,061,738 to Osaku et al.

Applicant respectfully asserts that claim 3 is allowable over Perkowski based at least on its dependency from independent claim 1 and for at least the reasons discussed above with respect to independent claim 1.

Claims 17 and 23 were rejected under 35 U.S.C. §103 as being unpatentable over Knowles as modified by Holshouser, further in view of Perkowski.

Applicant respectfully asserts that claim 17 is allowable over Knowles in view of Holshouser, and further in view of Perkowski, based at least on its dependency from independent claim 14, for at least the reasons discussed above with respect to independent claim 14.

With respect to independent claim 23, Applicant respectfully asserts that Knowles fails to teach or suggest the invention as recited in independent claim 23. For example, Knowles

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fails to teach or suggest the limitation of transmitting a search query to a communication server as recited in claim 23. Additionally, Knowles fails to teach or suggest the limitation of processing the search query to obtain the product related information from two or more of the multiple databases, wherein at least one of the databases is remote from the communication server. Moreover, based on similar arguments presented above, none of the cited references (Knowles, Holshauser and Perkowski) disclose these limitations. Accordingly, Applicant respectfully asserts that independent claim 23 is novel and non-obvious in view of Knowles, Holshauser and Perkowski for at least the reasons given above.

New claims 24 and 25 are similar to claim 1, and recite, *inter alia*, processing a search query to obtain product related personal information from a database. Support for this subject matter can be found, for example, at page 2, lines 21 to 25 and page 6, lines 17 to 20. Applicant respectfully asserts that none of the cited references teach or suggest such limitations as recited in these claims.
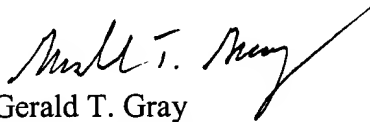
The Examiner made remarks indicating that "Applicant's first claim would cover using Netscape to retrieve product information from Yahoo! and display it, a common activity prior to the time of the invention." Although using Netscape to retrieve product information from Yahoo! and displaying it may have been a common activity prior to the time of the invention, Applicant asserts that the pending claims each recite limitations that are novel and non-obvious over prior art as of the time of the invention.

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

Gerald T. Gray
Reg. No. 41,797

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 925-472-5000
Fax: 415-576-0300
GTG:sea:mrv
60053992 v1